

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IMTEC REAL ESTATE LLC,)		
<i>Plaintiff,</i>)	CASE NO.: CIV-22-807-G	
v.)	
)	(State Court Case No. CJ-2022-
SECURITY NATIONAL INSURANCE)	168, District Court of Carter	
COMPANY,)	County, State of Oklahoma)	
<i>Defendant</i>)		

NOTICE OF REMOVAL

1. Notice. Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, Fed. R. Civ. P. 81 and LCvR 81.2, Defendant, Security National Insurance Company (“Defendant” or “Security”), a foreign corporation, removes this action to the United States District Court for the Western District of Oklahoma, which is the judicial district in which the action is pending. In support of this Notice, Defendant states as follows:

2. Attachment of State Court Papers. Pursuant to 28 U.S.C. § 1446(a) and LCvR 81.2, a true and correct copy of the Docket Sheet from the State Court Action is attached as Exhibit “1”. The following documents are also attached as Exhibits, which together comprise all known process, pleadings, and other documents served upon Defendant or filed by Defendant in the State Court Action to date:

Exhibit 2	Petition
Exhibit 3	Returned Summons

3. The State Court Action. Plaintiff, Imtec Real Estate, LLC (“Plaintiff”)

originally filed this action against Defendant on August 16, 2022, in the District Court of Carter County, State of Oklahoma (Case No. CJ-2022-168) (the “State Court Action”) (Exhibit 2, Petition at p. 1). Plaintiff served a copy of the Petition and Summons to Defendant on August 22, 2022. The Petition pleaded “in excess of the amount required for diversity jurisdiction... .” (Exhibit 2, Petition at ¶18, and the “Wherefore” clause).

4. Removal Is Proper. Removal to this Court from the District Court of Carter County, State of Oklahoma, is proper pursuant to 28 U.S.C. §§ 1332(a), 1441 and 1446, in that: (a) there is complete diversity of citizenship between Plaintiff and Defendant; (b) the amount in controversy in the Petition exceeds \$75,000; and (c) this Notice of Removal is being filed within thirty (30) days after receipt by the State Farm of a copy of the Petition.

A. Diversity of Citizenship Exists

5. Plaintiff is a Citizens of Oklahoma: Plaintiff is a domestic limited liability company with its principal place of business in Ardmore, Carter County, State of Oklahoma. (See Exhibit 2, Petition at ¶ 1).

6. Defendant Is Not A Citizen of Oklahoma. Defendant, Security National Insurance Company is a foreign insurer with its principal place of business in Delaware. (See Exhibit 2, Petition at ¶2.)

B. The Amount in Controversy Exceeds \$75,000

Plaintiffs Allege Damages Exceeding the Jurisdictional Amount. In the Petition, Plaintiff specifically state, “Plaintiff has suffered damages in excess of seventy-five thousand dollars (\$75,000.00)” and that it prays for “money damages in excess of the amount required for diversity jurisdiction ...” (Exhibit 2, Petition at ¶18 and the

“Wherefore” clause at p.4).

C. *The Removal is Timely and Procedure Is Proper*

7. Removal Within Thirty Days. This Notice of Removal is timely under 28 U.S.C. § 1446(b) because it is filed within thirty (30) days after Defendant received service of the Petition on May 14, 2021. (Exhibit 3, Returned Summons).

8. Notice of Filing. Written notice of the filing of this Notice of Removal will be given promptly to the Plaintiff, and a copy of the Notice of Removal will be filed with the Clerk of the District Court of Carter County, State of Oklahoma, as provided by 28 U.S.C. § 1446(d).

9. Carter County is Located Within This District. Removal to this Court is proper under 28 U.S.C. § 1441(a) because the District Court of Carter County, State of Oklahoma, is located within this District. 28 U.S.C. § 116(c).

WHEREFORE, Defendant Security National Insurance Company removes this action to this Court and invokes this Court’s jurisdiction.

Respectfully submitted,

/s/ Lance E. Leffel
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*Attorneys for Security National Insurance
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CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2022September 13, 2022, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants (names only are sufficient):

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